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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,567	02/27/2002	Yanchun Zhao	CA920010020US1	7960

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Gerald R. Woods
IBM Corporation T81/503
PO Box 12195
Research Triangle Park, NC 27709

EXAMINER

PATEL, NIRAV B

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,567

Applicant(s)

ZHAO ET AL.

Examiner

Nirav Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date (2) 9/27/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the application filed on 2/27/2002.
2. Claims 1-20 are under examination.

Claim Objections

Claim 14 is objected to because of the following informalities:

Claim 14 contains improper dependency. Correction is claim 14 depend on claim 13.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 5, 6, 13, 14 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Wagner (US Patent 6,085,224).

As per claim 1, Wagner discloses:

intercepting said message before any content of said message is processed by said server [**col. 4 lines 16-18 “an interceptor for intercepting a datastream (i.e. message) before the datastream is received by an application program”**];

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examining said message to determine if it contains one or more unauthorized elements **[col. 4 lines 18-20 “a scanner for scanning (i.e. examining) the intercepted datastream to detect a trigger event(i.e. unauthorized elements) in the intercepted datastream”];**

if it is determined that said message contains an unauthorized element preventing said message received from being processed by said server **[col. 2 lines 58-59 “If such receipt has not been authorized (i.e. unauthorized), the file is not passed to the application program”];**

if it is determined that said message does not contain an unauthorized element allowing said message received to be processed by said server **[Fig. 5 if NO trigger event (56) (i.e. not contain an unauthorized element) then pass to application program(86)].**

As per claim 2, the rejection of claim 1 is incorporated and further Wagner:

if it is determined that said message received contains an unauthorized element, preventing said message received from being processed by said server, and causing an error notification to be sent to said user **[col. 4 lines 20-22 “an event response generator for generating a response to the detected trigger event in correspondence with event configuration data, col. 4 lines 60-61 “an alert is provided to the user”].**

As per claim 5, it is rejected for the same reason set forth in the rejection of claim 1 above.

As per claim 6, the rejection of claim 5 is incorporated and is rejected for the same reason set forth in the rejection of claim 2 above.

As per claim 13, it is an apparatus claim corresponds to a method claim 1 and is rejected for the same reason set forth in the rejection of claim 1 above.

As per claim 14, the rejection of claim 13 is incorporated and further Wagner teaches:
network server comprises an Internet network server and said message is received over the Internet by said server from a user [**col. 7 lines 47-49 "A browser typically communicates datastreams with servers (i.e. Internet network server) using the HTTP protocol over an open network such as the Internet"**].

As per claim 15, the rejection of claim 13 or 14 is incorporated and further Wagner teaches:
returning an error message to said user [**col. 4 line 60 "an alert is provided to the user"**].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 7-9, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner (US Patent No. 6,085,224) and in view of Schoening (US Patent No. 6,226,788).

As per claim 3, the rejection of claim 1 is incorporated and further Wagner discloses:

examining said message received by said server [**col. 4 lines 18-20 “a scanner for scanning (i.e. examining) the intercepted datastream to detect a trigger event(i.e. unauthorized elements) in the intercepted datastream”**];

determining if said message received by said server contains an unauthorized element [**col. 2 lines 58-59 “If such receipt has not been authorized (i.e. unauthorized), the file is not passed to the application program”**];

preventing a said message received containing an unauthorized element from being processed by said server [**col. 2 lines 58-59 “If such receipt has not been authorized (i.e. unauthorized), the file is not passed to the application program”**];

Wagner doesn't clearly teach that receive identification of an execution program for processing the message and retrieving identification of all message types associated with the execution program set.

However, Schoening teaches that receive identification of an execution program for processing the message [*col. 4 lines 20-23* **"each functional unit comprising at least one executable program component that is associated with a device", "(A) obtaining a device identifier from the device"**] and retrieving identification of all message types associated with the execution program [*col. 26 lines 18-20* **"sweeps" the managed network 100 to retrieve information that identifies users, hosts, and other networking information", col.4 lines 26-28 "mapping at least one of the executable program components to an overriding executable program component in association with the device identifier"**].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Schoening into the teaching of Wagner to use identification of the execution program for processing the message and to retrieve the identification of all message type associated with the execution program. The modification would be obvious because one of ordinary skill in the art would be motivated to provide automated management of new or different kinds of devices (i.e. messages) and also provide integration (i.e. mapping between message and execution program [*Schoening, col. 3 lines 4-5,7-9*]).

As per claim 4, the rejection of claim 3 is incorporated and further Wagner disclose:

if it is determined that said message received contains an unauthorized element, causing an error notification to be sent to said user [**col. 4 lines 20-22 “an event response generator for generating a response to the detected trigger event in correspondence with event configuration data, col. 4 lines 60-61 “an alert is provided to the user” Fig. 5].**

As per claim 7, it encompasses limitations that are similar to limitations of claim 3. Thus, it is rejected with the same rationale applied against claim 3 above.

As per claim 8, the rejection of claim 7 is incorporated and is rejected for the same reason set forth in the rejection of claim 4 above.

As per claim 9, the rejection of claim 8 is incorporated and further Wagner teaches:

if it is determined that said message received does not contain an unauthorized element, allowing said message received to be processed by said server [**Fig. 5 if NO trigger event (56) (i.e. not contain an unauthorized element) then pass to application program (86)].**

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As per claim 16, the rejection of claim 15 is incorporated and further claim 16 is an apparatus claim corresponds to a method claim 3 and is rejected for the same reason set forth in the rejection of claim 3 above.

As per claim 17, the rejection of claim 16 is incorporated and is rejected for the same reason set forth in the rejection of claim 9 above.

5. Claims 10, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner (US Patent No. 6,085,224) and in view of Brown et al (US Patent No. 6,397,225).

As per claim 10, the rejection of claim 1 is incorporated and Wagner doesn't clearly teaches that message comprises a name-value pair.

However, Brown teaches that message comprises a name-value pair [**col. 5 lines 9-10 "the message 300 includes a command 305 followed by a name-value pairs 310 and a terminator 320 Fig. 3"**]

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Brown into the teaching of Wagner to include a name value pairs into the message. The modification would be obvious because one of ordinary skill in the art would be motivated to have name value pairs into the message so that type of the variable may be derived directly

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from the format of the value **[Brown, col. 5 lines 30-31]**, also this format of message overcoming or at least reducing the latency problem **[Brown, col. 2 lines 34-36]**.

As per claim 11, the rejection of claim 10 is incorporated and further Wagner teaches:

element comprises one or more of the following items: an instruction, a command, a character, a parameter, a token, or a string of any of said previous items **[col. 2 lines 26-29 “the HTML file (i.e. message) also contains data and/or commands which may not be displayed at the browser” “This “hidden” data and/or commands”, Abst. lines 6-7 “datastream for trigger events, such as cookie data, script commands, and applet programs”]**.

As per claim 12, the rejection of claim 11 is incorporated and further Wagner teaches:

element is interpretable as an instruction or command by said server **[Abst. lines 6-7 “datastream for trigger events, such as cookie data, script commands, and applet programs”]**.

6. Claims 18, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner (US Patent No. 6,085,224) in view of Schoening (US Patent No. 6,226,788) and further in view of Brown et al (US Patent No. 6,397,225).

As per claim 18, the rejection of claim 17 is incorporated and Wagner and Schoening don't teach that message comprises a name-value pair and element is contained by said name-value pair.

However, Brown teaches that message comprises a name-value pair **[page 3 paragraph 0032 "the HTTP request is mapped to name/value pairs and packed into a subject-based message"]**.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Brown into the teaching of Wagner and Schoening to include a name value pairs into the message. The modification would be obvious because one of ordinary skill in the art would be motivated to have name value pairs into the message so that type of the variable may be derived directly from the format of the value **[Brown, col. 5 lines 30-31]**, also this format of message overcoming or at least reducing the latency problem **[Brown, col. 2 lines 34-36]**.

As per claim 19, the rejection of claim 18 is incorporated and further Wagner teaches:

element comprises one or more of the following items: an instruction, a command, a character, a parameter, a token, or a string of any of said previous items [***Abst. lines 6-7*** “datastream for trigger events, such as cookie data, script commands, and applet programs”].

As per claim 20, the rejection of claim 19 is incorporated and further Wagner teaches:

element is interpretable as an instruction or command by said server [***Abst. lines 6-7*** “trigger events, such as cookie data, script commands, and applet programs”].

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gryaznov et al (US 6,748,534) discloses that a system and a method for performing partitioned scanning of a dataset for malware in a distributed computing environment is disclosed. A dataset is maintained in a plurality of structured databases in the distributed computing environment.

Chen et al (US 5,832,208) discloses that a software agent for detecting and removing computer viruses located in attachments to e-mail messages. A client-server computer network includes a server computer and a plurality of client computers.

Kim et al (US 6,701,440) discloses that a system and method for a remote or network-based application service offering virus scanning, sniffing, or detecting of e-mail viruses prior to the e-mail messages arriving at the destination system or server are disclosed.

Raanan et al (US 6,311,278) discloses that a method and computer program for automatically and continually extracting application protocols (i.e., defining a set of allowable or authorized actions) for any application.

Humes (US 5,996,011) discloses that a system and method for restricting access to data received by a computer over a network by filtering certain data from the data received.

Braddy (US 6,141,759) discloses that a system and method are disclosed for distributing, monitoring and managing information requests on a computer network

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including one or more client computer systems, a first server computer system, and one or more secondary server computer systems.

Sidles (US 2002/0062342) discloses that a system automatically intercepts and responds to most requests for personal information that are received from a network and directed to a user. Such requests are intercepted, and the sources of the requests, as well as the user, are validated.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. The examiner can normally be reached on 8 am - 4:30 pm (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NBP

7/21/05


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100